

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) Mick A Watkins 00355753
(Name of Plaintiff) (Inmate Number)

DCL 1181 Paddock Rd Smyrna DE 19477
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

vs.

(1) Commissioner Carl C. Dunbar

(2) Warden Phelps

(3) Cpl. Andre Brown (ETAL)
(Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

, 08 - 248

(Case Number)

(to be assigned by U.S. District Court)

CIVIL COMPLAINT

• • Jury Trial Requested

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

None

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? I filed a Grievance and Then
I followed my Chain of Command
 2. What was the result? I had a hearing twice and the
matter resulted in a unresolved. Issue
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: Carl C. Dunberg
Employed as Commissner of DCC. at D.C.C.
Mailing address with zip code: 245 Maple Road Dover DE
19904
- (2) Name of second defendant: Perry Phelps
Employed as Warden At DCC at D.C.C.
Mailing address with zip code: D.C.C 118 paddock Rd Smyrna
DE 19977
- (3) Name of third defendant: Andre Brown
Employed as Correctional officer at DCC.
Mailing address with zip code: DCC 1181 paddock Rd Smyrna
DE 19977
- (List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. ON 12/13/2007 Cpt Brown came on the tier to conduct a head count and stated to me it's count time freak I then asked this officer not to refer to me such as freak my name is Mikel A. Watkins
2. on 2-26-08 Cpl Brown came to my cell door and stated he was going to tear my cell apart because he smelled smoke. and made a statement that I was in love with another inmate
3. Then on 1/9/08 and 1/16/08 I was written up by this officer because I wrote him up for continuing to harass me

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Plaintiff Request that the Court order punitive damages in the amount of ~~\$20,000.00~~ ^{\$20,000.00} all Court Cost and Lawyers fees in the event a Counsel is appointed and a permanent restraining order against Cpl Andre Brown.

2. Also order that D.O.C TO properly
Train staff on how to deal with inmates
such as myself with a different sexual
preference

3.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25 day of April, 2008.

Mike a. Andrews
(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

UNIT # 0035753 UNIT D/E E-12 Top
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

Clerk US. District Court
Lockbox 18
844 N. King Street
Wilmington Delaware
19801

